

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**ROBIN G. THORNTON, on behalf of
herself and others similarly situated, and
WENDY IRBY, on behalf of
herself and others similarly situated,**

Plaintiffs,

v.

No. 1:20-CV-1040 JB/LF

**THE KROGER COMPANY,
ALBERTSONS and PAY AND SAVE, INC.,**

Defendants.

DECLARATION OF CHRIS SCHLACHTA

I, Chris Schlachta, declare as follows:

1. I am over 18 years old, competent to testify, and have personal knowledge of the matters stated herein.

2. I am an Applications System Analyst at The Kroger Co.

3. In that role, I am familiar with how Kroger's print advertisements are stored within Kroger's systems.

4. The advertisements are stored as .pdf files in electronic databases maintained by Kroger. The advertisements are complete documents; they are stored as they were run and are not separated in individual pages or sorted by the types of products advertised. The advertisements are not text searchable. The only searchable aspect of the files is the names of the files themselves.

5. I assisted with the extraction of all advertisements from 2016-2021 from Kroger's systems for production in this litigation.

6. To accomplish the production, Kroger did a direct export of the advertisements from its systems. The files were not changed.

7. Given the massive amount of data at issue, technical difficulties slowed the extraction and production of the advertisements, particularly in regard to advertisements from 2020-21. Specifically, because the 2020-21 advertisements are stored in a system in active use by Kroger associates, it took multiple attempts to extract the advertisements without crashing the system entirely.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and accurate.

Date: May 5, 2022

A handwritten signature in black ink, appearing to read "Chris Schlachta", written over a horizontal line.

Chris Schlachta